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AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America)

v.)

Michael Keith Shepard)

Case No.)

2:12mj 551

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 2012 to June 2012 in the county of Franklin in the
Southern District of Ohio, the defendant(s) violated:

Code Section

Offense Description

Title 18 USC 2250 (a)

being required to register, did travel in interstate or foreign commerce and knowingly fail to register as required by the Sex Offender Registration and Notification Act (SORNA).

This criminal complaint is based on these facts:

See attached affidavit, incorporated by reference herein.

☒ Continued on the attached sheet.


Complainant's signature

Deputy US Marshal Nicole Ralston

Printed name and title

Sworn to before me and signed in my presence.

Date: 08/13/2012


Judge's signature

City and state: Columbus, Ohio

US Magistrate Judge Terence P. Kemp

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Nicole Ralston, being duly sworn, do hereby declare and state the following:

1) My name is Nicole Ralston. I am a Deputy United States Marshal assigned to the Southern District of Ohio. I have been employed with the United States Marshals Service (USMS) since August of 2003. I am currently assigned to fugitive and sex offender investigations and have conducted many investigations involving sexual offenders. As a Deputy US Marshal, I am authorized under 28 U.S.C. Section 564 to enforce the laws of the United States, including violations of the Sex Offender Registration and Notification Act (SORNA), 42 U.S.C. A. Section 16901, and federal failure to register offenses, pursuant to 18 U.S.C. Section 2250. Prior to my employment with the USMS, I was employed as a Police Officer in Marion, Ohio for seven (7) years. I have a Bachelors Degree in Criminal Justice and I am a graduate of the Federal Law Enforcement Training Center Criminal Investigator Training Program at Glynnco, Georgia.

2) I am the case agent for the criminal investigation of Michael Keith SHEPARD, a convicted sex offender, relating to his travel from Michigan to Ohio, his failure to update his registration in Michigan and his failure to register as a sex offender in Ohio. This affidavit is based upon my conversations and coordinated efforts with other law enforcement agents and sources and my examination of various transcripts, reports, and other records. When the contents of documents or statements of others are reported herein, they are reported in substance and part unless otherwise indicated. I have not included in this affidavit all information known by me relating to the investigation. I have set forth facts to establish probable cause for an arrest warrant for Michael Keith SHEPARD. I have not withheld any evidence or information which would negate probable cause.

3) This affidavit is made in support of an application for a criminal complaint charging Michael Keith SHEPARD with a violation of 18 U.S.C. Section 2250(a).

Based on my training, experience, and participation in this and other violations of the sex offender registration requirements, I am aware of the following facts:

4) On June 16, 2009, in the State of Michigan, 29th Judicial Circuit, Clinton County, Michael Keith SHEPARD was found guilty of Children- Accosting For Immoral Purposes in violation of MCL 750.145A-A., Case# 09-008434-FH-T. SHEPARD was accused of meeting what he believed to be a 15-year-old female for purposes of sexual activity, and entered a plea of guilty to the offense. SHEPARD was sentenced to 152 days of incarceration and required to register, as required by the Michigan Sex Offender Registration Act.

5) Subsequent to his release, SHEPARD signed the State of Michigan Explanation of Duties to Register as a Sex Offender Form on July 14, 2009. The form notified SHEPARD that he was required to register as a sexual offender for a period of 25 years or a minimum of 10 years after being released from prison, and that he was required to verify his address with the local law enforcement agency having jurisdiction over his address on a semi-annual basis. The form further informed SHEPARD of numerous requirements regarding any future changes in his address. SHEPARD was required to report in person to the local law enforcement agency having jurisdiction over his residence within 10 days of changing his residence. SHEPARD was further required, 10 days prior to moving to another state, to report in person to the nearest State Police post to provide his new address, and to comply with the registration requirements of the state to which he moved. SHEPARD initialed the form next to each of these requirements, indicating he understood each of them.

6) SHEPARD was incarcerated on fraud charges in the Clinton County Jail in Michigan from July 2011 through December of 2011. He was released on probation in this case on December 20, 2011. Upon his release, SHEPARD verified his address as required, listing his address as 7870 Hunter Road, Bath, Michigan.

7) On February 23, 2012 SHEPARD's Probation Officer executed a home verification at his last known registered address of 7870 Hunter Road in Bath, Michigan. The officer found the residence to be vacant.

8) On March 1, 2012, the State of Michigan Judicial Court in Clinton County issued a Probation Violation Warrant, Case # (1)11-8761-FH for Michael Keith SHEPARD, based on SHEPARD's failure to comply with the Sex Offender Registration Act, failure to report to his probation officer, and failure to notify his probation officer of his change of address.

9) On May 10, 2012, the State of Michigan 29th Judicial Circuit Court issued a Felony Arrest Warrant for Michael Keith SHEPARD, alleging that he had committed the offense of Failure to Comply with Reporting Requirements, Case # 2012000526, for.

10) SHEPARD's whereabouts had been unknown to authorities in Michigan and Ohio since February 23, 2012.

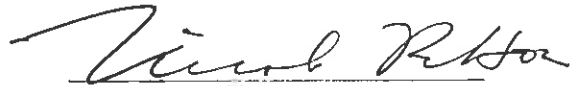
11) In June of 2012 the Bath Township (Michigan) Police Department requested the assistance of the United States Marshals Service in locating SHEPARD.

12) On August 6, 2012, investigation revealed SHEPARD had been living at 6302 Falla Drive Canal Winchester, Ohio, from March of 2012 through June of 2012. The investigation further revealed that SHEPARD had listed this address in Ohio on an application for employment in March of 2012, and that a witness confirmed that SHEPARD had resided at the listed residence from March through June of 2012, when he moved to the state of Texas.


13) You affiant has reviewed records that confirm that SHEPARD has never registered as a sex offender with any law enforcement agency in Ohio, as required by the State of

Ohio, and that he has failed to update his registration and verify his address with Michigan authorities since December 20, 2011.

14) Based on the foregoing facts, my knowledge and experience, I submit there is probable cause to believe that, MICHAEL KEITH SHEPARD, being a person required to register under the Sex Offender Registration and Notification Act (SORNA), did knowingly fail to register or update a registration as required by SORNA, and did travel in interstate or foreign commerce, in violation of Title 18 U.S.C. Section 2250(a).

 *DUSM*
Nicole Ralston
Deputy United States Marshal

Sworn before me and subscribed in my presence the 13th day of August, 2012, at Columbus, Ohio.


Judge Terence P. Kemp
United States Magistrate Judge
Southern District of Ohio